

CITY OF HOLLISTER - AGENDA

for **City Council Meeting**

of **October 3, 2005**

at **6:30 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

NOTICE TO PUBLIC

Persons who wish to address the City Council must complete a Speakers Card and give it to the Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input section, Section B, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**** 6:00 p.m. - Closed Session -- See Attached Agenda.**

Call to Order

Pledge of Allegiance

Roll Call:

Mayor Pauline Valdivia, Council Members Brad Pike, Robert Scattini, Doug Emerson and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

Verification of Agenda Posting

Presentations: Employee Service Awards for 3rd Quarter, 2005
Proclamation: Rideshare Week, October 3-7, 2005
Presentation regarding AMBAG's Energy Plan

6:00 p.m. - CLOSED SESSION AGENDA:

- A. Public comment (limited to any item listed on Closed Session agenda).
- B. A Closed Session will be held by the City Council of the City of Hollister to discuss all or some of the following matters:
1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (3 potential cases will be discussed).
 2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed).
 3. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) –
 - a. RWQCB – Cease and Desist Order No. R3-2002-0105
 - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number M65916
 - c. Nicholson v. Hollister, Case No. CU-04-00063
 - d. Borges et al v. Hollister, Case No. CV030139
 4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union, Local 3395; Hollister Peace Officers Association, Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential.
 5. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8:

Property: APN 019-130-024
City Negotiator: Clint Quilter
Negotiating parties: Donald W. Hart, Jerome Ehrich, Martin Ehrich
Under negotiation: Price and Terms of Payment
 6. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8:

Property: APN 053-370-002

City Negotiator: Clint Quilter
Negotiating parties: Donald W. Hart, Jerome Ehrich, Martin Ehrich
Under negotiation: Price and Terms of Payment

7. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8:

Property: APN 053-320-002
City Negotiator: Clint Quilter
Negotiating parties: Donald W. Hart, Jerome Ehrich, Martin Ehrich
Under negotiation: Price and Terms of Payment

8. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8:

Property: APN 053-330-001, 605 North Street
City Negotiator: Clint Quilter
Negotiating parties: Margaret L. Kuhl
Under negotiation: Price and Terms of Payment

9. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8:

Property: APN 053-370-003, 420 North Street
City Negotiator: Clint Quilter
Negotiating parties: Katherine Sanchez
Under negotiation: Price and Terms of Payment

10. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8:

Property: APN 053-370-004, 410 North Street
City Negotiator: Clint Quilter
Negotiating parties: Katherine Sanchez
Under negotiation: Price and Terms of Payment

11. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8:

Property: APN 054-212-001, 361 North Street
City Negotiator: Clint Quilter
Negotiating parties: Elbert J. and Rose M. Enos
Under negotiation: Price and Terms of Payment

6:30 p.m. - AGENDA

A. CONSENT RESOLUTION (September 19, 2005):

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

Consent Items are Numbers A1, A2, A3, A4, and A5

A1. Minutes of Regular Meeting of September 19, 2005.

Approve Minutes of the Regular Meeting of September 19, 2005, as submitted.

A2. Warrant Registers.

The City Council will ratify and approve the following Warrant Registers dated:

- September 19, 2005, in the amount of \$ 599,673.80.
- September 27, 2005, in the amount of \$ 305,747.88.

A3. Resolution No. 2005-140, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURES FOR THE ANNUAL LIGHTS ON CELEBRATION.

This Resolution will authorize the temporary closure of various streets for the Fifteenth Annual Lights On Celebration Parade to be held on November 26, 2005.

A4. Set Date and Time to Conduct an Appeal Hearing

The City Council will set the date and time for an appeal hearing of a Planning Commission decision to revoke a Home Occupation Permit from Mrs. Sharon Sausedo (Avon Sales).

A5. Resolution No. 2005-141, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING PLANS AND SPECIFICATIONS FOR THE REPLACEMENT OF BUILDING 25 AT THE HOLLISTER MUNICIPAL AIRPORT, CIP 2338.

This Resolution will authorize Approval of Plans, Specifications and Contract Documents for the Replacement of Building 25 at the Hollister Municipal Airport.

B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:

1. PUBLIC INPUT.

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and address for the record, and speak to the Council. Each speaker will be limited to two (2)

minutes. Please note that state law prohibits the council from discussing or taking action on any item not on the agenda.

C. PUBLIC HEARINGS (On or After 6:30 p.m.)

None

D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

1. Resolution No. 2005-142, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE CITY MANAGER TO HIRE POLICE OFFICERS TO FILL VACANT POSITION AS THEY ARISE.

This Resolution would authorize the City Manager to hire Police Officers to fill vacant position as they arise.

E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:

1. Reports from City Council Committees.

Receive oral reports from members regarding the activities of various Ad hoc and Standing City Council Committees.

2. Reports from City Council, City Manager, City Attorney, and Staff.

Receive oral reports from the City Council, City Manager Quilter, City Attorney Cass, City Clerk Johnson, and other Staff as applicable.

3. Water and Wastewater Issues.

The City Council will receive an oral status report from City Manager Quilter.

4. 2005 Hollister Independence Rally Report.

The City Council will receive a report from Jeff Miller, Chief of Police regarding the 2005 Hollister Independence Motorcycle Rally.

5. Hollister Municipal Airport Work Plan.

This item supplies information on workload and resource requirements at the Hollister Municipal Airport.

6. Veteran's of Foreign Wars Post 9242 Women's Auxiliary Request for Waiver of Fees at Veterans Memorial Building for Arts and Crafts Show.

The City Council will receive a report with background information on the VFW Post 9242 Women's Auxiliary request for a waiver of fees for an Arts and Crafts Show at the Veterans Memorial Building.

F. UNFINISHED BUSINESS:

None.

G. NEW BUSINESS:

None.

H. MISCELLANEOUS:

None.

ADJOURNMENT:

Next Regular City Council Meeting is scheduled for October 17, 2005, at 6:30 p.m.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4304. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].